



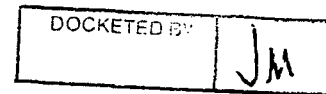
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## BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

NOV 16 2000

CARL J. KUNASEK  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
WILLIAM A. MUNDELL  
COMMISSIONER



IN THE MATTER OF I.M. WATER COMPANY,  
INC. FOR THE SALE OF STOCK AND  
CANCELLATION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

DOCKET NO. W-02191A-00-0650

DECISION NO. 63152ORDER

Open Meeting  
November 7 and 8, 2000  
Phoenix, Arizona

**BY THE COMMISSION:**

Having considered the entire record herein and being fully advised in the premises, the  
Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

**FINDINGS OF FACT**

1. I.M. Water Company, Inc. ("I.M. Water") provides water utility service to approximately 90 customers in Pima County, Arizona.
2. On August 31, 2000, I.M. Water filed an application for approval of the sale of all of its stock to the Marana Domestic Water Improvement District ("District") and for the cancellation of its Certificate of Convenience and Necessity ("Certificate").
3. The District is a municipal corporation organized and existing under the laws of the State of Arizona.
4. On September 1, 2000, I.M. Water mailed notice of its application to all of its customers.
5. The Commission did not receive any customer complaints or objections to the sale.
6. On October 27, 2000, Commission Utilities Division Staff ("Staff") filed its Staff Report recommending approval of the application without a hearing.
7. After the purchase the District will provide service to all I.M. Water customers.
8. The District has agreed to continue to make refunds of all existing security deposits,

meter and service line installations and main extension agreements in accordance with Commission Rules and the terms of the main extension agreements.

9. I.M. Water requested an expedited Decision and a waiver of the 10 day time period for filing exceptions to the Recommended Order under A.C.C. R14-3-110(B).

**CONCLUSIONS OF LAW**

1. I.M. Water is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. § 40-281 and 40-282.

2. The Commission has jurisdiction over I.M. Water and the subject matter of the application.

3. Notice of the application was provided as required by law.

4. There is a continuing need for water utility service in I.M. Water's certificated area.

5. The District is a fit and proper entity which is ready willing and able to assume the responsibility of providing water utility service within I.M. Water's currently certificated area.

6. Staff's recommendations contained in Findings of Fact No. 6 is reasonable.

7. I.M. Water's application should be approved without a hearing.

8. I.M. Water's customers should be guaranteed refunds of all existing security deposits, meter and service line installations and main extension agreements in accordance with Commission rules and the terms of the main extension agreements.

**ORDER**

IT IS THEREFORE ORDERED the I.M. Water Company, Inc.'s application to sell its stock to the Marana Domestic Water Improvement District is granted.

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IT IS FURTHER ORDERED that I.M. Water Company Inc.'s Certificate of Convenience and Necessity shall be cancelled without further action of the Commission upon I.M. Water Company, Inc. providing written notice to the Commission that the sale has been completed.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 16<sup>th</sup> day of November, 2000.

BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT \_\_\_\_\_